

## B. REMARKS

### 1. Drawings.

a. **Examiner.** The examiner objected to the drawings because the split baseboard and stiffener fit between the first and second sections of the baseboard must be shown or the features canceled from the claims.

b. **Response.** A proposed drawing addition has been submitted.

### 2. Specification

a. **Examiner.** The examiner objected to the title of the invention because the title is not descriptive. The examiner suggested that the applicant amend the title to include the springs as set forth in claim 1.

b. **Response.** The specification has been amended to change the title to "Half Circle Shutter with Spring Tensioned Blinds"

### 3. Claim Rejections 35 USC 112

a. **Examiner.** The examiner rejected claims being indefinite. Specifically, the examiner cited:

(1) Recitations such as "the ends of the base slat support" on line 2 of claim 4 render the claims indefinite because they lack antecedent basis.

(2) Recitations such as "a slat" on line 3 of claim 5 render the claims indefinite because it is unclear if the applicant is referring to one of the slats set forth above or is attempting to set forth another slat in addition to the one set forth above.

(3) Recitations such as “beneath said base slat support” on line 15 of claim 9 render the claims indefinite because it is unclear how the springs can be beneath the base slat support when it appears that the springs extend only into the base slat support with the screws are beneath the base slat support.”

(4) It appears that “joints...” on line 2 of claim 12 is a typographical error.”

**b. Response.**

(1) Claim 4 has been canceled and the limitation written into claim 1. The limitation has been rewritten for claim 1.

(2) Claim 5 has been rewritten to reflect that there is a plurality of only one type of slat.

(3) Claim 9 has been amended to delete the limitation that included “beneath said base slat support.”

(4) Claim 12 has been amended to delete the extra period after “joints.”

**4. Claim Rejections 35 USC 103**

**a. Claims 1-3 and 7.**

(1) **The examiner.** The examiner rejected claims 1-3 and 7 over Faircloth in view of Cleaver and Dayus.

**(2) Response.**

(a) Claim 1 has been amended to recite “a stiffener within said base slat support and affixed to said baseboard; wherein, said stiffener prevents warping of said baseboard.”

Applicant submits that Briggs does not disclose a stiffener in conjunction with the base slat support nor one that is affixed to the baseboard.

(b) Claim 1 has been amended to recite that the springs are affixed to the base slat support and to the bottom ends of the slats. Claim 1 has been further amended to recite the base front and base rear that conceal the springs. The springs disclosed by Cleaver are distinguishable from applicant's invention because Cleaver's springs 26 are seated in the closed end of a hole (Co. 2, 1. 45-50) whereas applicant's springs are in the open and concealed by base rear and base front. The limitation of claim 4 has been incorporated into Claim 1.

**b. Claim 4.**

(1) **The examiner.** The examiner rejected claim 4 over Faircloth in view of Cleaver and Dayus as applied to claims 1-3 and 7 and further in view of Briggs.

(2) **Response.** Claim 4 has been canceled. Briggs has been addressed above.

**c. Claims 5, 6 and 8.**

(1) **The examiner.** The examiner rejected claims 5, 6 and 8 over Faircloth in view of Cleaver, Dayus and Lukaszonas.

(2) **Response.** Applicant repeats the response provided above for Claim 1. In addition, applicant's invention distinguishes over Lukaszonas because Lukaszonas disclosed only rectangular blinds and did not teach the adaptation of the first ridge and second ridge in blinds of a hemispherical configuration.

**c. Claims 9-12.**

(1) **The examiner.** The examiner rejected claims 9-12 over Faircloth in view of Dayus, Lukaszonas, Briggs and Cleaver et al.

(2) **Response.** Applicant distinguishes over Faircloth, Dayus, Lukaszonas, Briggs and Cleaver because:

(a) Claim 9 recites the limitation of a split baseboard that allows the base front, base rear, and base slat support to extend down into the space between the left and right baseboards. A proposed drawing has been submitted with this amendment. Briggs does not disclose a stiffener in conjunction with the base slat support nor one that is affixed to the baseboard.

(b) Claim 9 has been amended to recite the base front and base rear that conceal the springs. The springs disclosed by Cleaver are distinguishable from applicant's invention because Cleaver's springs 26 are seated in the closed end of a hole (Co. 2, l. 45-50) whereas applicant's springs are in the open and concealed by base rear and base front.

(c) Lukaszonas disclosed only rectangular blinds and did not teach the adaptation of the first ridge and second ridge in blinds of a hemispherical configuration.

C. AMENDMENTS WITH MARKUP SHOWING CHANGES.

1. The title.

Change “Half Circle Window Shutter” to –Half Circle Shutter with Spring Tensioned Blinds-

2. The specification. Page 9, first paragraph was amended as follows:

In an alternative embodiment, base **10** is comprised of a split baseboard so that stiffener **18** and base slat support **22** fit between two baseboard sections. Construction with a split base board brings a portion of the bottom slat **30** on the right and left side of base slat support **22** between the two baseboard sections and below the level shown for baseboard **16** in Fig. 8. Construction with a split baseboard allows an increase in the size of the surface area of top rear **48** and top front **42** (see Fig. 1) which increases the range of window arches to which one size of shutter **100** can be affixed. Fig. 10 depicts alternate shutter **110** showing a split base board configuration having left split baseboard **17** and right split baseboard **15**. Base slat support **22**, base front **20** and base rear **24** can be seen extending down into the space between left split baseboard **17** and right split baseboard **15**. Stiffener **18** is hidden by base slat support **22** but is located in the same configuration with base slat support **22**, base front **20** and base rear **24** as seen in Figs 8 and 9.

3. The claims.

1. (once amended) A shutter for a semi-circular window having an arched wall comprising:

a top having a top rear, a rear edge and a top support affixed to said top rear;

a plurality of slats having a top end and a bottom end;

a base slat support affixed to a baseboard;

a plurality of springs affixed to a base slat support and to the bottom ends of said slats;

a base front affixed to the base slat support and adapted for minimizing light leakage at the bottom ends of the slats;

a base rear affixed to the base slat support;

a plurality of first securement devices;

a plurality of second securement devices;

a stiffener within said base slat support and affixed to said baseboard;

wherein, said stiffener prevents warping of said baseboard;

wherein said springs are concealed by said base front and the base rear;

wherein, said plurality of top ends are affixed to said top support by said plurality of first securement devices; and wherein, said plurality of springs are affixed between said plurality of bottom ends and said base slat support by said plurality of second securement devices; and

wherein an area of the top rear is adapted for covering a gap between said rear edge and said arched wall.

2. Please cancel claim 2

3. Please cancel claim 3.

4. Please cancel claim 4

5. (once amended) The shutter of claim 1 wherein each of said slats comprises a first ridge and a second ridge; and

wherein when said slats are in a closed position [said] the first ridge of [a] one slat will engage [said] the second ridge of [an] the adjacent slat.

6.(once amended) The shutter of claim 1 wherein said first securement devices and said second securement devices comprise screws.

7. (once amended) The shutter of claim 1 wherein said first securement devices and said second securement devices comprise one of the following; nails, dowels, bolts or rods.

8. (once amended) The shutter of claim 1 further comprising a plurality of joints made from folded metal wherein said top rear is fixedly engaged to said top support by said joints .

9. (once amended) A shutter for a semi-circular window comprising:

a top having a top rear, a top front and a top support affixed to said top rear;

a plurality of slats each of said slats having a top end, a bottom end, a first ridge and a second ridge;

a base slat support;

a split baseboard having a first baseboard section and a second baseboard section;

a plurality of springs;

a plurality of first securement devices;

a plurality of second securement devices;

a base front affixed to said base slat support and adapted for minimizing light leakage at the bottom ends of the slats;

a base rear affixed to said base slat support;

a stiffener fixedly engaged to said first baseboard section, said second baseboard section and [positioned within] said base slat support;

wherein, each of said top ends are affixed to said top support by said plurality of first securement devices ;

[wherein, each of said springs are affixed beneath said base slat support and engaged with said second securement devices so that upward force is exerted on said slats;]

wherein, said first ridge of one of said slats engages the second ridge of the adjacent slat;

wherein [said stiffener and] said base slat support [fit] extends downward between said first

baseboard section and said second baseboard section.

10.(once amended) The shutter of claim 9 wherein said first securement devices and said second securement devices comprise screws.

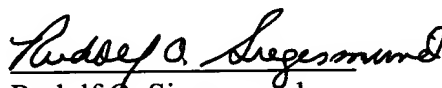
11. (once amended) The shutter of claim 9 wherein said first securement devices and said second securement devices comprise one of the following; nails, dowels, bolts or rods.

12. (twice amended) The shutter of claim 9 further comprising a plurality of joints made from folded metal wherein said top rear is fixedly engaged to said top support by said joints[.].

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For the foregoing reasons, the Applicant submits that the disclosed and claimed in the present application is not fairly taught by any of the references of record, taken either alone or in combination. Therefore, allowance of the present application is in order, and is requested.

Respectfully submitted



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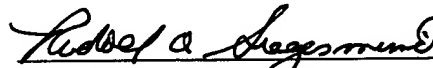
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